

## REMARKS

In response to the Office Action dated May 18, 2007, Applicants respectfully request reconsideration based on the above amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-9, 20-23 and 25-30 are pending in the present Application. Claims 1, 20-21 and 25 have been amended, and claims 28-30 have been added, leaving Claims 1-9, 20-23 and 25-30 for consideration upon entry of the present Amendment. No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

### Formal Reply

Responsive to the Interview Summary mailed on July 30, 2007, Applicant's agree with the Substance of the Interview, but further state that Attorney for Applicant, Greg O'Bradovich, and Examiner Allen agreed that the claim recitations of the proposed amendment, formalized in the current amendments to Claims 1 and 20, as well as New Claim 30, appear to be allowable over the currently standing rejections.

### Claim Objections

The Office Action indicated that Claim 24 has been double numbered. Applicants have canceled the double numbered Claim 24 and have retained the double numbered Claim 24 with a "canceled" designation. The double number claims have been added as new claims 28 and 29. Furthermore, Claim 25, which previously depended from a Claim 24 has been amended to properly depend from New Claim 29.

### Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1, 4, 6, 7-9, and 20-21 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Forslund et al. (US 6250557) in view of Moskowitz et al. (US 20040015403). Applicants respectfully traverse this rejection. As amended, Claims 1 and 20 are allowable over the combination of Forslund et al. (US 6250557) in view of Moskowitz et al. (US 20040015403) because neither reference combined or separately discloses, among

other things, “deleting a subset of the offer to sell the desired product or service and the plurality of additional offers to sell the desired product or service in response to the subset failing to meet a desired criterion”. Claims 4, 6 and 7-9 depend from Claim 1 and Claim 21 depends from Claim 20, and are also allowable for at least the same reasons.

Claims 2-3 and 5 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Forslund et al. in view of Moskowitz et al. as applied to claims 1,4, 6-9 and 20-21, and in further view of Walker et al. (US 5794207). Applicants respectfully traverse this rejection. Claims 2-3 and 5 variously depend from Claim 1 and are patentable over Forslund in view of Moskowitz and in further view of Walker for at least the reasons advanced with reference to Claim 1.

Claim 22 stands rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Forslund et al. in view of Moskowitz et al. as applied to claims 1,4, 6-9 and 20-21, and in further view of Silverman et al. (US 5136501). Applicants respectfully traverse this rejection. Claim 22 depends from Claim 20 and is patentable over Forslund et al. in view of Moskowitz et al. as applied to claims 1,4, 6-9 and 20-21, and in further view of Silverman et al. for at least the reasons advanced with reference to Claim 1.

Claims 23-24(a) and claims 24(b)-25 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Forslund et al. in view of Moskowitz et al. as applied to claims 1,4, 6-9 and 20-21, and in further view of Nanni et al. (US 6389269). Applicants respectfully traverse this rejection. The claims that have been identified as Claim 24(a) and Claim 24(b) have been canceled. Claims 23 and 25 depend from Claim 20 and are patentable over Forslund et al. in view of Moskowitz et al. as applied to claims 1,4, 6-9 and 20-21, and in further view of Nanni et al. for at least the reasons advanced with reference to Claim 1.

Claim 26 stands rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Forslund et al. in view of Moskowitz et al. as applied to claims 1,4, 6-9 and 20-21, and in further view of Fano et al. (US 20050091118). Applicants respectfully traverse this rejection. Claim 26 depends from Claim 1 and is patentable over Forslund et al. in view of Moskowitz et al. as applied to claims 1,4, 6-9 and 20-21, and in further view of Fano et al. for at least the reasons advanced with reference to Claim 1.

Claim 26 stands rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Forslund et al. in view of Moskowitz et al. as applied to claims 1,4, 6-9 and 20-21, and in further view of Vermande (US 20020095340). Applicants respectfully traverse this rejection. Claim 26 depends from Claim 1 and is patentable over Forslund et al. in view of Moskowitz et al. as applied to claims 1,4, 6-9 and 20-21, and in further view of Vermande for at least the reasons advanced with reference to Claim 1.

#### New Claims

Claims 28-30 have been added to further claim the invention.

Antecedent basis for claims 28-30 is found at least at paragraphs 0031, 0032, 0044 and 0045.

Claims 1 and 20 as amended, and Claim 30 are patentable over the cited art because the references combined or separately do not disclose either, “receiving a plurality of additional offers to sell the desired product or service from a plurality of vendors, organizing the offer to sell the desired product or service and the plurality of additional offers to sell the desired product or service on a screen of the mobile transceiver device and deleting a subset of the offer to sell the desired product or service and the plurality of additional offers to sell the desired product or service in response to the subset failing to meet a desired criterion”, or “transmitting a third signal including a third data message to the mobile transceiver device, the third data message containing an additional offer to sell the desired product or service, comparing the second and third data messages to determine a desired criterion, wherein the desired criteria is a lowest price among the offer to sell the desired product or service, and the additional offer to sell the desired product or service and deleting at least one of the first and second messages from the mobile transceiver device in response to a predetermined expiration of at least one of the offer to sell the desired product or service and the additional offer to sell the desired product or service”.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise,  
please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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